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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,400	08/13/2001	Sukendeep Samra	020699-004700US	9148
37490	7590	12/24/2003	EXAMINER	
CARPENTER & KULAS, LLP 1900 EMBARCADERO ROAD SUITE 109 PALO ALTO, CA 94303			CHEN, PO WEI	
			ART UNIT	PAPER NUMBER
			2676	

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/929,400

Applicant(s)

SAMRA ET AL

Examiner

Po-Wei (Dennis) Chen

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 4-15 and 19-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

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### **DETAILED ACTION**

Claims 1-23 are pending in this application. Claims 1, 2, 4, 5, 10, 12, 15, 16, 19 and 20 are independent claims.

The present title of the invention is "Media Production System Using Flowgraph Representation of Operations". This action is non-final.

The Group Art Unit of the Examiner case is now 2676. Please use the proper Art Unit number to help us serve you better.

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-3 and 16-18, drawn to list of operations associated with a portion of an image, classified in class 345, subclass 619.
  - II. Claims 4-11, drawn to diagram of nodes manipulation, classified in class 345, subclass 713.
  - III. Claims 12-14, drawn to freehand line drawing associated with parameters, classified in class 345, subclass 441.
  - IV. Claim 15, drawn to display plurality modified images adjacent to the main image, classified in class 345, subclass 723.
  - V. Claim 19, drawn to changing parameters values and list of labels associated with controls, classified in class 345, subclass 661.
  - VI. Claims 20-23, drawn to generating resolution look-up tables with multi-dimensional space mapping, classified in class 345, subclass 601.

2. Inventions I, II, III, IV, V and VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as list of operations associated with a portion of an image. Invention II has separate utility such as diagram of nodes manipulation. Invention III has separate utility such as freehand line drawing associated with parameters. Invention IV has separate utility such as display plurality modified images adjacent to the main image. Invention V has separate utility such as changing parameters values and list of labels associated with controls. Invention VI has separate utility such as generating resolution look-up tables with multi-dimensional space mapping. See MPEP § 806.05(d).

3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, III, IV, V or VI, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Charles Kulas on October 7, 2003 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-3 and 16-18. Affirmation of this election must be made by applicant in replying to this Office action. Claims 4-15 and 19-23 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Harada et al. (US 5,844,563; refer to as Harada herein).

7. Regarding claim 1, Harada discloses a method and system for designing a three-dimensional model object comprising:

A system for modifying digital images (lines 40-42 of column 3; 3D solid model data corresponds to digital images);

Means for maintaining an association between an image portion and a list of operations used to create the image portion (lines 9-16 of column 4 and Fig. 4; predetermined commands corresponds to list of operations which are used in building part of the 3D solid model that corresponds to image portion).

8. Regarding claim 2, Harada discloses a method and system for designing a three-dimensional model object comprising:

A method for processing an image in an application program; the application program executes in a digital system (lines 31-62 of column 5 and Fig. 3; the model data is being processed by the compiler that corresponds to an application program, which is embodied in software of the system that corresponds to a digital system);

The digital system includes a user input device; accepting signals from the user input device to cause one or more operations to modify the image to create a modified image (lines 37-40 of column 5 and lines 49-63 of column 8);

Creating a list of at least one of the operations used to create the modified image (57-59 of column 5 and lines 49-63 of column 8; commands correspond to operations);

Storing the list in association with the modified image (lines 40-49 of column 5).

9. Regarding claim 3, Harada discloses a method and system for designing a three-dimensional model object comprising:

Retrieving the modified image (lines 47-54 of column 5);

Retrieving the list (lines 55-59 of column 8);

Associating the list with the modified image (lines 40-45 and lines 57-59 of column 5).

10. Regarding claim 16, Harada discloses a method and system for designing a three-dimensional model object comprising:

A method for displaying information about an image in an image processing system (lines 40-42 of column 3 and 49-59 of column 8 and Fig. 4);

The image processing system including a processor coupled to a display device and to a user input device (lines 35-40 and 55-57 of column 5 and Fig. 3);

The method comprising using the processor to display an image (lines 54-57 of column 5);

Accepting signals from the user input device to select a portion of the image (lines 47-54 of column 5 and lines 49-63 of column 8; user selects a command to modify corresponding part of the model via input device);

Using the processor to display a list of operations that contributed to the generation of the selected portion of the image (lines 47-57 of column 5 and lines 49-59 of column 8 and Fig. 3).

11. Regarding claim 18, Harada discloses a method and system for designing a three-dimensional model object comprising:

Accepting signals from the user input device to identify an operation in the list (lines 55-63 of column 8);

Using the processor to regenerate the image using operations in the list other than the identified operation (lines 47-55 of column 5, lines 49-55 of column 8 and lines 5-15 of column 9 and Fig. 11; the commands or operations within the same branch, or same list, are processed to generate the model in order for the selected command to be re-executed);

Displaying the regenerated image on the display device (lines 47-57 of column 5).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 5,844,563; refer to as Harada herein) as applied to claim 16 above, and further in view of Drebin et al. (US 5,438,654; refer to as Drebin herein).

14. Regarding claim 17, Harada does not disclose the image portion is a single pixel. Drebin discloses a method and system for generating a high resolution display image utilizing the method (lines 50-53 of column 12; the modified image portion is a pixel). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Drebin provide the advantage of allowing user to modify an image at pixel-level detail to generate a generally unblurred high resolution display image at a particular level of detail (lines 47-50 of column 2, Drebin).

***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nishimura et al. (US 5,517,607).

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C Bella can be reached on (703) 308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen  
Examiner  
Art Unit 2676

Po-Wei (Dennis) Chen  
November 12, 2003



MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
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